

IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

STATE OF IOWA, STATE OF
ARKANSAS, STATE OF IDAHO, STATE
OF MISSOURI, STATE OF MONTANA,
STATE OF NEBRASKA, STATE OF
NORTH DAKOTA, STATE OF SOUTH
DAKOTA, STATE OF UTAH, and
AMERICAN FREE ENTERPRISE
CHAMBER OF COMMERCE,

Petitioners,

v.

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,

Respondent.

24-1522

No. 24-_____

FILED
MAR 12 2024
MICHAEL GANS
CLERK OF COURT

PETITION FOR REVIEW

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U.S. COURT OF APPEALS
EIGHTH CIRCUIT

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U.S. COURT OF APPEALS
EIGHTH CIRCUIT

**CERTIFICATE OF INTERESTED PERSONS
AND CORPORATE DISCLOSURE STATEMENT**

Counsel for Petitioners certifies that the following is a complete list of interested persons as required by Federal Rule of Appellate Procedure 26.1 and Eighth Circuit Local Rules 26.1-1:

State of Iowa, Petitioner

State of Arkansas, Petitioner

State of Idaho, Petitioner

State of Missouri, Petitioner

State of Montana, Petitioner

State of Nebraska, Petitioner

State of North Dakota, Petitioner

State of South Dakota, Petitioner

State of Utah, Petitioner

American Free Enterprise Chamber of Commerce, Petitioner

United States Securities and Exchange Commission, Respondent

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Eric H. Wessan, Attorney for Petitioner

Patrick Valencia, Attorney for Petitioner

Tim Griffin, Attorney for Petitioner

Nicholas J. Bronni, Attorney for Petitioner

Dylan L. Jacobs, Attorney for Petitioner

Raúl R. Labrador, Attorney for Petitioner

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Michael Buschbacher, Attorney for Petitioner

No publicly traded company or corporation has an interest in the outcome of this case or appeal.

PETITION FOR REVIEW

Under Section 9(a) of the Securities Act of 1933, 15 U.S.C. § 77i, 15 U.S.C. § 78y(b), Section 706 of the Administrative Procedure Act, 5 U.S.C. § 706, and Federal Rule of Appellate Procedure 15(a), the States of Iowa, Arkansas, Idaho, Missouri, Montana, Nebraska, North Dakota, South Dakota, Utah, and American Free Enterprise Chamber of Commerce, petition this Court for review of the final agency action taken by Respondent United States Securities and Exchange Commission entitled, “The Enhancement and Standardization of Climate-Related Disclosures for Investors,” Release Nos. 33-11275 and 34-99678. Petitioners have attached a copy of that final rule. The Commission adopted this rule at an open meeting on March 6, 2024, by a 3-2 vote.

Petitioners will show that the final rule exceeds the agency’s statutory authority and otherwise is arbitrary, capricious, an abuse of discretion, and not in accordance with law. Petitioners thus ask that this Court declare unlawful and vacate the Commission’s final action.

Respectfully submitted,

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*Counsel for American Free Enterprise
Chamber of Commerce*

Dated: March 12, 2024

CERTIFICATE OF SERVICE

I certify that, on March 12, 2024, I electronically filed the foregoing Petition for Review with the United States Court of Appeals for the Eighth Circuit through the Court's CM/ECF system.

I further certify that, on March 12, 2024, I will cause ten true and correct copies of this Petition, having been stamped by the Court with the date of filing, to be served on the Secretary and the Office of the Secretary at the Commission's Headquarters by U.S. Mail and Federal Express at this address:

Vanessa A. Countryman
Secretary
Securities and Exchange Commission
100 F. Street NE
Washington, D.C. 20549-1090

The Petition is being submitted to the Commission pursuant to 28 U.S.C. § 2112 by the persons who filed the Petition in the court of appeals.
See 17 C.F.R. § 201.490.

/s/ Eric H. Wessan
Eric H. Wessan